

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 31.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.16907 of 2018****WEB COPY**

V.Susi Vinayagam

... Petitioner

vs.

1. The Tahshildar
Thiruppurakundram Taluk
Madurai

2. The Head Surveyor
Thiruppurakundram Taluk
Madurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to survey the land comprised in S.No.333/4 in Plot No.17A, Bethel Nagar, Thiruppurakundram Village, Thiruppurakundram Taluk, Madurai, within a stipulated time.

For Petitioner : Mr.P.E.Pandiarajan
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that her application dated 13.07.2018 seeking to survey the land bearing Plot No.17A, comprised in Survey No.333/4, situated at Bethel Nagar, Thiruppurakundram Village, Thiruppurakundram Taluk, Madurai, has not been considered by the respondents till date and therefore, she has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever an application of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to



consider the petitioner's application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's application dated 13.07.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Tahshildar,
Thiruppurakundram Taluk,
Madurai.
2. The Head Surveyor,
Thiruppurakundram Taluk,
Madurai.

+1cc to M/S.DHANA LAW ASSOCIATES, Advocate SR.No.76013
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.76259
krk
MK/RP/SAR 3/10.08.2018/2P/5C

W.P. (MD) No.16907 of 2018
31.07.2018